

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**RICHARD C. PAYNE**  
*Plaintiff,*

**VS.**

**WARREN TRANSPORT, INC., AND  
BRETT C. BRAYTON,**  
*Defendants.*

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**CIVIL ACTION NO.: 4:15-cv-00809**

**AGREED STIPULATION OF DISMISSAL WITH PREJUDICE**

**TO THE HONORABLE JUDGE OF SAID COURT:**

**COMES NOW**, Plaintiff RICHARD C. PAYNE and pursuant to FED. R. CIV. P. 41(a), files this his Agreed Stipulation of Dismissal With Prejudice in the above-entitled and numbered cause.

**STIPULATIONS**

1. Plaintiff stipulates to the dismissal of each and all of his causes of action asserted or could have been asserted against Defendants Warren Transport, Inc. and Brett C. Brayton in this action, with prejudice to said actions being refiled against Defendants.

2. All parties hereto stipulate that taxable costs of court shall be borne by the party incurring same.

Respectfully submitted,

**GAGNON, PEACOCK & VEREEKE**

BY: /s/ David M. Vereeke  
**DAVID M. VEREEKE**  
State Bar No. 20547500  
[david@gapslaw.com](mailto:david@gapslaw.com)

1349 Empire Central Drive  
Suite 500, Lock Box 56  
Dallas, Texas 75247  
(214) 824-1414 Telephone  
(214) 824-5490 Facsimile

**COUNSEL FOR PLAINTIFF**  
**RICHARD C. PAYNE**

**- and -**

**SARGENT LAW, P.C.**

By: /s/ Brent Chandler  
**DAVID L. SARGENT**  
State Bar No. 17648700  
[david.sargent@sargentlawtx.com](mailto:david.sargent@sargentlawtx.com)  
**BRENT W. CHANDLER**  
State Bar No. 24055291  
[brent.chandler@sargentlawtx.com](mailto:brent.chandler@sargentlawtx.com)

1717 Main Street, Suite 4750  
Dallas, Texas 75201  
(214) 749-6000  
(214) 749-6100 (fax)

**ATTORNEYS FOR DEFENDANTS**  
**BRETT COLBY BRAYTON AND**  
**WARREN TRANSPORT, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 6<sup>th</sup> day of March, 2017, a true and correct copy of the above and foregoing instrument was forwarded to the following via the ECF filing system:

J.B. Peacock, Jr.  
David M. Vereeke  
Colin Benton  
Gagnon, Peacock & Vereeke  
1349 Empire Central Drive  
Suite 500, Lock Box 56  
Dallas, Texas 75247

/s/ Brent Chandler  
**BRENT W. CHANDLER**